

MINUTES
VILLAGE OF LAKE PARK COUNCIL MEETING
3801 LAKE PARK ROAD, LAKE PARK, NC
REGULAR SESSION – 7:00 P.M.
AUGUST 12, 2008

ATTENDING: Mayor Kendall Spence
Mayor Pro-Tem: Sandy Coughlin
Council Members: Greg Crosby, Virginia Currence,
Jo Waybright, Clint Newton
Finance Officer – Cheryl Bennett
Village Clerk/Tax Collector – Cheri Clark
Attorney Ken Swain

CALL TO ORDER: Mayor Kendall Spence called the Regular Session of the Village of Lake Park Council to order.

PLEDGE OF ALLEGIANCE: Mayor Kendall Spence led the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES: Sandy Coughlin made the motion to approve the June 10, 2008 regular session minutes. Virginia Currence seconded the motion. Vote – Unanimous.

PUBLIC COMMENT: None

CHANGES TO THE AGENDA: No changes to the agenda.

SECURITY: Deputy Ryan Tomberlin introduced Brian Huncke to the Council. Brian is temporarily assigned to the VOLP. Deputy Michelle Hannon has been assigned to the Civil Unit. The Security Report, due to software changes is not correct for the month of July. It is as accurate as possible; however we do know that there were more than six calls during the month.

Virginia Currence reported that door bell ringing and running is occurring in the early evening again. Sandy Coughlin and Clint Newton thanked the deputies for their assistance with National Night Out.

FINANCE REPORT: Cheryl Bennett presented the financial statements for Council review. Two 24 month \$50,000 CDs have been renewed with an interest rate of 4.2%

July 2008 Budge Report

| | <u>Jul 08</u> | <u>Budget</u> | <u>\$ Over Budget</u> | <u>% of Budget</u> |
|---|-----------------|-------------------|---------------------------|------------------------|
| General Fund | | | | |
| Revenues | | | | |
| Other revenues | | | | |
| Approp. Fund Balance | 0.00 | 52,122.00 | -52,122.00 | 0.0% |
| National Night Out | 320.00 | 4,890.00 | -4,570.00 | 6.54% |
| Civil Penalties | 0.00 | 200.00 | -200.00 | 0.0% |
| Investment revenue | 4,320.49 | 21,000.00 | -16,679.51 | 20.57% |
| Miscellaneous | <u>0.00</u> | <u>600.00</u> | <u>-600.00</u> | <u>0.0%</u> |
| Total Other revenues | 4,640.49 | 78,812.00 | -74,171.51 | 5.89% |
| Other Taxes | | | | |
| Cable franchise-from Time Warner | <u>0.00</u> | <u>2,800.00</u> | <u>-2,800.00</u> | <u>0.0%</u> |
| Total Other Taxes | 0.00 | 2,800.00 | -2,800.00 | 0.0% |
| Parks & Recreation Revenue | | | | |
| Recreation Program Fees | 848.70 | 200.00 | 648.70 | 424.35% |
| Community Center rental | 250.00 | 2,800.00 | -2,550.00 | 8.93% |
| Gazebo rental | 0.00 | 400.00 | -400.00 | 0.0% |
| Recreation concession sales | 0.00 | 800.00 | -800.00 | 0.0% |
| Recreation daily swim fees | 1,995.50 | 6,200.00 | -4,204.50 | 32.19% |
| Recreation season pass fees | <u>2,027.00</u> | <u>50,000.00</u> | <u>-47,973.00</u> | <u>4.05%</u> |
| Total Parks & Recreation Revenue | 5,121.20 | 60,400.00 | -55,278.80 | 8.48% |
| Property Taxes | | | | |
| Ad valorem current year | 0.00 | 477,784.00 | -477,784.00 | 0.0% |
| Ad valorem prior years | 1,593.23 | 4,200.00 | -2,606.77 | 37.93% |
| Late fees (ad) | 54.19 | 91.00 | -36.81 | 59.55% |
| Motor vehicle tax | 0.00 | 51,010.00 | -51,010.00 | 0.0% |
| Penalties and interest | 145.27 | 1,250.00 | -1,104.73 | 11.62% |
| Utility ad valorem | <u>0.00</u> | <u>7,000.00</u> | <u>-7,000.00</u> | <u>0.0%</u> |
| Total Property Taxes | 1,792.69 | 541,335.00 | -539,542.31 | 0.33% |
| State Shared Revenues | | | | |
| Cable Rev. (from State) | 0.00 | 18,000.00 | -18,000.00 | 0.0% |
| Sales and use tax | 0.00 | 190,000.00 | -190,000.00 | 0.0% |
| Utility franchise | <u>0.00</u> | <u>72,000.00</u> | <u>-72,000.00</u> | <u>0.0%</u> |
| Total State Shared Revenues | <u>0.00</u> | <u>280,000.00</u> | <u>-280,000.00</u> | <u>0.0%</u> |
| Total Revenues | 11,554.38 | 963,347.00 | -951,792.62 | 1.2% |
| Expense | | | | |
| Capital Outlay | | | | |

| | | | | |
|--|---------------|------------------|-------------------|--------------|
| Capital Outlay Exp. | 0.00 | 10,000.00 | -10,000.00 | 0.0% |
| Reserve for Capital Replacement | <u>0.00</u> | <u>10,000.00</u> | <u>-10,000.00</u> | <u>0.0%</u> |
| Total Capital Outlay | 0.00 | 20,000.00 | -20,000.00 | 0.0% |
| General Administrative Expenses | | | | |
| Adm Assistant | 144.00 | 600.00 | -456.00 | 24.0% |
| Clerk/Tax Collector | 3,565.42 | 42,785.00 | -39,219.58 | 8.33% |
| Council | 0.00 | 11,000.00 | -11,000.00 | 0.0% |
| Finance Officer | 855.83 | 10,270.00 | -9,414.17 | 8.33% |
| Mayor | 0.00 | 3,000.00 | -3,000.00 | 0.0% |
| Payroll Expenses | <u>349.22</u> | <u>5,400.00</u> | <u>-5,050.78</u> | <u>6.47%</u> |
| Total General Administrative Expenses | 4,914.47 | 73,055.00 | -68,140.53 | 6.73% |
| Maintenance of Common Areas | | | | |
| Landscaping | 10,800.00 | 165,000.00 | -154,200.00 | 6.55% |
| Park maintenance | 391.60 | 33,500.00 | -33,108.40 | 1.17% |
| Pond maintenance | 0.00 | 10,000.00 | -10,000.00 | 0.0% |
| Street Signs | <u>0.00</u> | | | |
| Total Maintenance of Common Areas | 11,191.60 | 208,500.00 | -197,308.40 | 5.37% |
| Operating Costs | | | | |
| Advertising | 0.00 | 400.00 | -400.00 | 0.0% |
| Association dues | 2,880.00 | 2,880.00 | 0.00 | 100.0% |
| Bank charges | 0.00 | 20.00 | -20.00 | 0.0% |
| Elections | 0.00 | 800.00 | -800.00 | 0.0% |
| Insurance/bonds | 8,683.08 | 9,800.00 | -1,116.92 | 88.6% |
| Miscellaneous oper. exp. | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| Newsletter/website/flyers | 0.00 | 2,700.00 | -2,700.00 | 0.0% |
| Office | -4.28 | 7,100.00 | -7,104.28 | -0.06% |
| Postage | 0.00 | 300.00 | -300.00 | 0.0% |
| Tax collection | 0.00 | 900.00 | -900.00 | 0.0% |
| Telephone | 244.11 | 2,900.00 | -2,655.89 | 8.42% |
| Training | 0.00 | 800.00 | -800.00 | 0.0% |
| Travel | <u>0.00</u> | <u>500.00</u> | <u>-500.00</u> | <u>0.0%</u> |
| Total Operating Costs | 11,802.91 | 30,100.00 | -18,297.09 | 39.21% |
| Other Expenditures | | | | |
| Economic Development | 0.00 | 2,500.00 | -2,500.00 | 0.0% |
| Contingency | 0.00 | 20,000.00 | -20,000.00 | 0.0% |
| Stormwater Fee | <u>0.00</u> | <u>12,000.00</u> | <u>-12,000.00</u> | <u>0.0%</u> |
| Total Other Expenditures | 0.00 | 34,500.00 | -34,500.00 | 0.0% |

| | | | | |
|-------------------------------------|------------------|-------------------|--------------------|-------------------|
| Parks & Recreation | | | | |
| Pool Operations | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| Comm. center maintenance | 0.00 | 9,000.00 | -9,000.00 | 0.0% |
| Seasonal Decorations | 0.00 | 12,000.00 | -12,000.00 | 0.0% |
| Natural Gas | 40.78 | 1,200.00 | -1,159.22 | 3.4% |
| Pool maintenance | 0.00 | 9,500.00 | -9,500.00 | 0.0% |
| Pool management fee | 9,242.00 | 46,880.00 | -37,638.00 | 19.71% |
| Events/Recreation programs | 1,325.14 | 2,300.00 | -974.86 | 57.62% |
| Storage Rental | 1,111.80 | 1,113.00 | -1.20 | 99.89% |
| Water/Sewer | 338.20 | 3,000.00 | -2,661.80 | 11.27% |
| Total Parks & Recreation | 12,057.92 | 85,993.00 | -73,935.08 | 14.02% |
| Professional Fees | | | | |
| Accountant | 0.00 | 4,200.00 | -4,200.00 | 0.0% |
| Legal Counsel | 0.00 | 10,000.00 | -10,000.00 | 0.0% |
| Total Professional Fees | 0.00 | 14,200.00 | -14,200.00 | 0.0% |
| Public Services/Safety | | | | |
| National Night Out | 0.00 | 7,000.00 | -7,000.00 | 0.0% |
| Community Watch | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| Garbage collection | 0.00 | 257,000.00 | -257,000.00 | 0.0% |
| Law enforcement | 33,179.50 | 133,000.00 | -99,820.50 | 24.95% |
| Street Lights | 8,017.58 | 93,000.00 | -84,982.42 | 8.62% |
| Total Public Services/Safety | 41,197.08 | 491,000.00 | -449,802.92 | 8.39% |
| Total Expense | 81,163.98 | 957,348.00 | -876,184.02 | 8.48% |
| Net excess of Exp. Over Rev. | 69,609.60 | 5,999.00 | -75,608.60 | -1,160.35% |
| Powell Bill | | | | |
| Other Income | | | | |
| Interest - Powell Funds | 140.73 | | | |
| Total Other Income | 140.73 | | | |
| Other Expense | | | | |
| Street Exp. - Powell Bill | 119.00 | | | |
| Total Other Expense | 119.00 | | | |
| Net Other Income | 21.73 | | | |
| Net Income | 69,587.87 | 5,999.00 | -75,586.87 | -1,159.99% |

TAX OFFICER'S REPORT: Cheri Clark presented the Resolution to Authorize the Collection of Property Taxes for 2008. Sandy Coughlin made the motion to adopt the Resolution to Authorize the Collection of Property Taxes for 2008. Clint Newton seconded the motion. Vote – Unanimous.

A RESOLUTION TO AUTHORIZE THE COLLECTION OF
PROPERTY TAXES FOR 2008

In order to implement a process for the collection of property taxes in the Village of Lake Park, in a timely and efficient manner the following resolution is hereby adopted:

1. The Tax Collector ("Collector") is hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Union County Assessor and in the tax receipts delivered to the Collector, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Village of Lake Park and this order shall be a full and sufficient authority to direct, require, and enable the Collector to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.
2. The tax rate shall be established at twenty-one cents (\$0.21 per \$100 Valuation.
3. Collector is hereby given authority to contract with the County for the purpose of producing all scrolls, registers, receipts, billing notices and other records and files necessary to produce a sound tax collection system.
4. Collector is also authorized to expend monies for reasonable and normal administration costs for postage, copying, supplies, materials, software, and other items necessary to implement the foregoing.
5. Collector is to provide safekeeping for all tax monies received and is to make timely deposits of collections to a designated bank for Village accounts, when amounts of \$250 or more are received.
6. Due to the presumed cost ineffectiveness of collecting taxes on properties having very small valuations, Collector is hereby authorized to avoid processing collections where the tax bill is less than five dollars (\$5.00) for a given property.
7. Collector is hereby authorized to treat collection on tax billings where small underpayments or small overpayments (\$1.00 or less) are involved, as paid in full. Refunds are authorized for overpayments for \$1.01 or more. An underpayment of \$1.01 or more shall be regarded as not paid in full.
8. The Village Council shall make provision for fidelity bonding of the Collector either through a blanket bonding covering town officials or may require an individual bond, any cost of which borne by the Collector shall be repaid to the Collector.

Witness my hand an official seal, this 12th day of August 2008

PUBLIC SERVICES (Waste Collection & Electric): Sandy Coughlin stated that the commercial bin behind the Town Center is dumped on a Monday, Thursday schedule. A flyer with information was mailed to all of the commercial bin clients concerning the parameters for commercial bin usage. Sandy met with the Vintage Condominiums concerning a recycle program for a commercial client. The Vintage Condominiums are considered commercial user because they do not have individual rollout carts. Recycling for a commercial client is a first for the VOLP.

Ken Swain discussed the possible need for a solid waste ordinance for the VOLP due to a gap between residential compliance and an enforcement mechanism. A copy of the City of Monroe's solid waste ordinance was e-mailed to each Council member for consideration and future discussion. Sandy Coughlin volunteered to review the document on behalf of council and present a recommendation on September 9th.

Clint Newton met with Joel Taylor, Union Electric concerning the lighting issues around Veterans Pond. Clint Newton made the motion to approve Union Power's request to replace the lines around the Veterans Pond's common area. Virginia Currence seconded the motion. Vote – Unanimous

COMMUNICATION: Greg Crosby asked that all articles for the next Villager be submitted by August 15th.

PARK AND RECREATION: Greg Crosby reported that the Clock Tower clocks were damaged by lightning. Electric Time suggested that we consider moving the controls for the clocks to the Clock Tower which should help minimize damages to the system. The door to the clock tower and the padlock has been damaged. Parks and Rec will replace the lock and have the door repaired.

The VOLP experienced quite a bit of damage due to the storms in the form of downed trees and limbs, damage to the tennis court fence and lighting hitting the clock tower clocks and community center. To repair the damage to the tennis court fence and the removal of the tree - \$2,129.00; insurance will cover \$1,129.00 and the \$1,000 deductible will come out of Park Maintenance.

The castle at the corner of Faith Church and Conifer has been vandalized. It will cost \$500 to patch, prime and paint the inside of the castle. Virginia Currence made the motion to approve the repair of the castle. Greg Crosby seconded the motion. Under discussion, Virginia Currence withdrew the motion. Virginia Currence then made a motion to approve \$1,129 for the tennis court fence and \$500 for castle repairs. Jo Waybright seconded the motion. Vote – Unanimous.

The clock tower fountains that are not working are actually swimming pool motors. After talking with Carolina Pool Management, the replacement of the two pump motors would be \$1,050.00. Virginia Currence made the motion to approve replacing the pumps at the clock tower. Jo Waybright seconded. Vote – Unanimous.

David Grant did an inventory of the dead and dying trees in the VOLP. We have approximately 30 trees that need to come down at a cost of about \$5,000 including some stumps that will need to be ground. Virginia Currence made the motion to approve up to \$5,000 for the removal of dead and dying trees. Sandy Coughlin seconded the motion. Vote – Unanimous. Lucas Landscaping removed a few shrubs on Esther Street. David Grant recommended that we cut the burned hollies down to the stumps to aid the new growth. Lucas will cut the hollies at no charge. Mayor Kendall Spence inquired as to a policy being in place in the event of a fish kill. Virginia Currence stated that there is not an official policy in place. She has talked to the Union County Extension Agent concerning fish kills and aquatic vegetation.

Jo Waybright requested that Council approve ordering a pool cover for the smaller adult pool. Jo Waybright made the motion to approve \$2,136.72 for the new cover. Sandy Coughlin seconded the motion. Vote – Unanimous. The lighting at the pool needs to be repaired. We are experiencing vandalism and after hour swimming due to the lack of lighting. Jo Waybright made the motion to approve up to \$5000 for the repair of lighting issues in the VOLP. Virginia Currence seconded the motion. Vote – Unanimous.

Clint Newton thanked everyone who volunteered and supported National Night Out.

Mayor Kendall Spence, Jo Waybright and Cheri Clark met with the architectural firm – ADW Architects to discuss the feasibility of increasing the Community Center for additional office space, larger rental room and storage. The estimate from ADW to do the feasibility study and design work - \$9,640. This quote does not include working drawing for the contractor. Sandy Coughlin requested that the VOLP table the architectural proposal until next month.

STORMWATER: Mayor Kendall Spence and Cheri Clark met with the Town of Indian Trail to discuss the possibility of entering into an inter-local agreement in which Indian Trail would become our Stormwater Administrator. Ken Swain inquired if we had heard from the North Carolina Stormwater Permitting Unit in reference to the approval of the VOLP Stormwater Ordinance. We have had no communication to date. It is imperative that the VOLP work to become pro-active instead of re-active in reference to Stormwater.

The FEMA Floodwater Maps have to be approved by ordinance by the middle of October. Cheri Clark has talked with Lee Jenson with Union County to determine if Lake Park needs to adopt the county's ordinance once it is approved or do we need a separate ordinance since the county handles our zoning.

STREET BUSINESS: Mayor Kendall Spence discussed two repair problems in the VOLP:

1. The catch basin at 3409 Mayhurst Drive has developed a sink hole along the back of the basin adjacent to the cast iron hood and frame.
2. The yard inlet between 3612 and 3614 Denise Drive has developed a small sink hole adjacent to the steel frame and gate.

Future Electric's quote to repair the catch basin on Mayhurst per DOT standard, to tamp, re-landscape disturbed areas, reseed and stabilize - \$2,000. Sandy Coughlin made the motion to approve \$2,000 from Powell Bill to repair the catch basin. Greg Crosby seconded the motion. Vote – Unanimous

To determine the cause of the Denise Drive sink hole the area would need to be dug-out to locate the problem - \$500. After the problem is determined, repair cost would be additional. The other option at Denise Drive would be to have Lucas bring in dirt, pack the area and then observe. The question of a Denise Drive easement and private property was discussed. At this time, the Council requested additional information concerning Denise Drive.

The street paving and official inspections are complete.

The VOLP has received an e-mail from Girls on the Run concerning having the 5-K run in the VOLP. Additional notification of residents and traffic flow will be in future discussions.

Jo Waybright requested that Council ask all residents to post house numbers on the front of their homes in cause of an emergency. Due to the number of mailboxes on alleyways, a lot of homes are difficult to identify.

ECONOMIC DEVELOPMENT: Sandy Coughlin presented the preliminary survey results for all of the multiple choice questions. The total number of surveys – 303. Sandy Coughlin encouraged Council to review the survey results and pointed out that in spite of the alleged interest in having a convenience store or general store in the village, and in spite of having two convenience stores located within one mile of Lake Park, the survey shows that a very small number of residents make purchases at such types of stores. At this time, the EDC knows of no convenience store located in Mecklenburg or Union Counties which is not part of a gas station, a type of business that would be inappropriate in Lake Park. The survey results are helping us to form a practical approach to economic development for the Village; however a convenience store is unlikely in view of the different circumstances it needs to be a profitable investment. Additional information concerning the survey will be forthcoming.

The next EDC meeting is 7 p.m. August 14th at Lucas Landscaping.

Due to lighting taking out the Clerk's computer, Jo Waybright made the motion to approve \$1200 for a new computer. Clint Newton seconded the motion. Vote – Unanimous. The town hall office has been reorganized. Jo Waybright made the motion to approve up to \$1,000 for a lateral file cabinet. Greg Crosby seconded the motion. Vote – Unanimous.

SET AGENDA FOR SEPTEMBER 9, 2008: No changes.

COUNCIL COMMENTS:

Virginia Currence expressed her disappointment in not being able to attend National Night Out. The feedback has all been very positive.

Jo Waybright thanked Clint Newton for all of his hard work on National Night Out and the organization of the event.

Clint Newton thanked everyone for their support and assistance at National Night Out.

Sandy Coughlin expressed a special thank-you to Jo and Doyle Waybright for all of their hard work and involvement in the VOLP.

Mayor Kendall Spence expressed his appreciation to the Council and staff for all of their hard work and dedication.

ADJOURN: Sandy Coughlin made a motion to adjourn the meeting. Virginia Currence seconded the motion. Vote – Unanimous.

Respectfully submitted,

Mayor Kendall Spence

Village Clerk, Cheri Clark